

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

CASE NO.: 3: 13-bk-5254-JAF  
Estimated Time 15 Minutes

IN RE:  
MICHAEL CARTER  
MARY CARTER

Debtors

**TRUSTEE'S RESPONSE TO MOTION TO AMEND INCOME DEDCUTION ORDER**

COMES NOW DOUGLAS W. NEWAY, TRUSTEE, who hereby response to the Debtors' Motion to Amend Income Deduction Order and states:

1. Debtors filed a Motion to Amend Income Deduction Order stating that the income deduction orders entered were paying too much towards the plan payment.
2. The income deductions orders entered by this Court (dockets 44 and 45) were entered based on exactly the terms requested by the Debtors. By docket entry 19, the Debtors asked that \$1267.79 be deducted from Mrs. Carter's pay and \$845.20 from Mr. Carter's pay. At hearing it was clarified that this was per paycheck.
3. Based on the motion filed and the hearing held, the income deduction orders were entered.
4. Upon review of the Orders entered, the Trustee reviews the status as follows:
  - Per docket 44 – Mrs. Carter's employer is directed to pay \$1267.79 out of each paycheck, bi-weekly; this averages \$2746.87 per month
  - Per docket 45 – Mr. Carter's employer is directed to pay \$845.20 out of each paycheck, bi-weekly; this averages \$1831.27 per month
  - Together they are paying a total of \$4578.14 per month.
  - The plan payments are \$2112.99.

3. Per the Motion to Amend the Income Deduction Order, it appears that these Debtors have now clarified that they intended for the total amount to be the amount received monthly. They must provide a specific breakdown as to the exact amount each party should be responsible for as to each pay

check received from each employer.

WHEREFORE the TRUSTEE responds to the Debtors' Motion to Amend Income Deduction Order.

DOUGLAS W. NEWAY, CHAPTER 13 TRUSTEE

By /s/ Marsha M. Brown

Douglas W. Neway

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CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served by electronic transmission, facsimile transmission and/or U.S. Mail on this February 20, 2014 on the following:

Michael and Mary Carter, 16 Marsh Drive, Jacksonville Beach, FL 32250

/s/ Marsha M. Brown